

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CLEMENT OVIDIU DUMITRESCU,

Plaintiff,

Case No. 05-72791

v.

HONORABLE DENISE PAGE HOOD

COSTEL HANA, et al.,

Defendants.

/

ORDER ACCEPTING REPORT AND RECOMMENDATION

This matter is before the Court on Magistrate Judge Mona K. Majzoub's Report and Recommendation dated November 16, 2005.

Magistrate Judge Mona K. Majzoub concluded that the Plaintiff failed to allege the deprivation of a constitutional right, and therefore, Defendant Detroit Police Department's Motion for Summary Judgment should be granted.

The Court accepts the Magistrate Judge's Report and Recommendation. The Court accepts the Magistrate Judge's conclusion that Plaintiff fails to allege a deprivation of a constitutional right based upon a custom and policy of Defendant Detroit Police Department. The Court also agrees that Plaintiff's Complaint is devoid of any allegations calling into question the constitutionality of any policy or custom of the Detroit Police Department.

Accordingly,

IT IS ORDERED that the Report and Recommendation of Magistrate Judge Mona K. Majzoub [**Docket No. 11, filed August 24, 2005**], is ACCEPTED and ADOPTED in part as this Court's findings and conclusions of law.

IT IS FURTHER ORDERED that Defendant Detroit Police Department's Motion for Summary Judgment [**Docket No. 36, filed on September 8, 2005**], is GRANTED.

S/Denise Page Hood
DENISE PAGE HOOD
United States District Judge

DATED: December 21, 2005